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Human Rights and Cultural Heritage:
Protecting Museum Professionals During Armed Conflict

by

Jennifer Lee Reilly

A thesis submitted in partial fulfillment of the requirements for the degree of
Master of Arts in Museum Professions
College of Communication and the Arts

Seton Hall University

August 2018

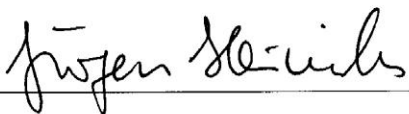
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Abstract

The purpose of this thesis is to address the issue of protecting museum professionals in areas of armed conflict. Recent conflicts have increased public awareness of cultural heritage sites in danger. Organizations such as UNESCO condemned the destruction of Palmyra and the desecration of the Mosul Museum. Despite the public outrage, there is little consideration given to professionals who work at these institutions and who care for the collections. Examining the historical accounts of museum professionals in conflict zones provides the context to the suggestions made in this text. Possible solutions and methods proposed throughout the text include the expansion of legislation and implementation of programs for professionals in need. Additionally, the museum community can consider other professions and how they provide for peers in areas of armed conflict. This thesis also considers the broader shift in the museum community. The museum is no longer just a repository for art and artifacts. Museums serve a local and international community, transcending cultures and welcoming diverse voices. An extension of service to the community is service to international museum professionals. Although armed conflict is unpredictable, it is important to discuss the needs of colleagues in these locations. Having resources and programs in place to protect the employees of a museum will ensure cultural heritage in these volatile places will be cared for in times of both conflict and peace.

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Introduction

Current events in Syria and Iraq have highlighted the importance of protecting cultural heritage during times of armed conflict. The vandalism of the Mosul Museum and the destruction of the archaeological site of Palmyra, among other atrocities, sparked international outrage from the museum community and greater public. Methods have been proposed by members of the international museum community to protect museums and archaeological sites during armed conflict. However, as Dr. Corine Wegener suggests, “the museum community lacks the ability to help our colleagues,” who are in areas of armed conflict and war.¹

There are different modalities of protection that ensure the welfare of museum professionals during times of armed conflict. A combination of these modes of protection can ultimately be the most effective solution for each conflict. The types of protection range from physical protection to legislative protection. In order to create resources and programs that will protect museum professionals in areas of armed conflict, the museum community must look to what is already in place to govern museums and programs. Additionally, the museum profession must consider the coping strategies of representatives from other professions, such as journalists and scholars, to assess what steps can be taken to protect them.

Definitions are important while discussing this topic. The term “cultural heritage” and the legal term “cultural property” are synonymous and used interchangeably throughout this paper. UNESCO defines cultural heritage in the 1954 Hague Convention as:

¹ Brian I. Daniels and Corine Wegener, “Heritage at Risk: Safeguarding Museums During Conflict,” *Museum*, July/August 2016, 30.

Movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above.²

The term “conflict” covers a variety of situations such as natural disasters or warfare, the most common definition being, “fighting between two or more groups of people or countries.”³ The definition concerning warfare is what this paper will address, focusing on armed conflict and war that examines how human actions can endanger collective cultural heritage and how museum professionals can mobilize and protect their institutions. While this minimizes harm to the collection, professionals are in the crossfire. “Armed conflict,” as defined by the International Council of Museums (ICOM) in its *Cultural Heritage Disaster Preparedness and Response* occurs in case of “war, military occupation, and non-international armed conflict.” “War” is defined as “international armed conflict with bombing, shelling, occupation of building, looting, etc.”⁴ “Military occupation” is defined as “occupation of buildings and sites for military or other occupying force purposes; looting and illegal or irregular export of collections.”⁵ “Non-international armed conflicts” have the same characteristics as war defined above. Conflicts of this nature have unique characteristics that make protecting cultural heritage challenging.

² United Nations Educational, Scientific and Cultural Organization, *Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention 1954* (The Hague, 1954), 8.

³ “Definition of Conflict,” Cambridge Dictionary, accessed July 16, 2018, <https://dictionary.cambridge.org/us/dictionary/english/conflict>.

⁴ Patrick Boylan, “Assessing Risk: Museum Emergency Planning for Natural, Civil and Armed Conflict Risks.” *Cultural Heritage Disaster Preparedness and Response*. Ed. Cristina Menegazzi. Paris: ICOM-International Council of Museums, 2004. 68.

⁵ Ibid.

Technically, there is no one museum profession, rather, several museum professions.⁶ The term museum professional is an ambiguous term which addresses all the professionals who work in an institution including registrars, curators, security guards, and others. Professionals can be specialists in topics such as biology or archaeology, but they are still considered museum professionals. These people may or may not have formalized training in the museum field but their association with the institution personifies them as museum professionals.⁷ The term “museum professional” is synonymous with “cultural heritage professional” and will be used throughout this paper to describe those who work in the museum or cultural heritage field.

The first chapter of this text describes the historical instances of museum professionals embroiled in armed conflict by examining the situations and consequences these professionals faced. The next chapter discusses legislation in place to protect professionals during armed conflict and how the legislation and programs compares to that of other professions. Chapter three focuses on programs already in use by the museum profession to assist refugees and museum professionals alike. These programs not only provide a guide for how the museum profession can help its peers fleeing areas of armed conflict, they also show an overall shift in the profession by becoming more community focused. Using examples of programs in place, chapter four addresses the challenges ahead that the museum community will face when trying to assist their colleagues. Additionally, this chapter proposes a methodology for the future.

While armed conflict is unpredictable, having a plan in place to protect professionals in museums will help lessen the loss of human life and the loss of experts for a given country’s cultural heritage. By protecting these professionals, members of the international museum

⁶ “Profession,” in *Key Concepts of Museology*, ed. André Desvallées and François Mairesse (Paris: ICOM-International Council of Museums, 2009) 67.

⁷ Ibid, 68.

community are taking steps to protect the collections. Creating legislation and programs to protect museum professionals will undoubtedly be a challenging process with stakeholders that range from members of UNESCO, over museum workers to government officials. Despite the challenges ahead, the museum community must act to protect for its colleagues in areas of armed conflict. More museums are focusing on service, to both local and international communities. Museums must serve their peers as well, providing support for institutions embroiled in war zones. By studying the legislation that governs cultural heritage in armed conflict, existing programs from both museums and other professions, this thesis proposes a way forward for museums to take an active role in protecting museum professionals who are stewards of collections in areas of armed conflict.

Chapter 1

Accounts of Museum Professionals Working During Armed Conflict

Museum professionals are no strangers to armed conflict. Throughout the twentieth century, professionals lived and worked through war, putting their lives at risk in order to protect the collections under their care. Examining these historical instances of museum professionals working in situations of armed conflict can provide the present museum profession an overview of how their predecessors handled these situations and what the museum profession can do in the future to help colleagues in areas of armed conflict.

During World War II, European museum professionals rallied around their collections, taking measures to ensure their protection even under harrowing circumstances. Adolf Hitler's swift rise to power in Germany had consequences not only for the governments in Europe, but also for cultural institutions. The Nazis confiscated art from Jewish dealers, designated modern art as "degenerate," and claimed museum collections for Adolf Hitler's planned Hitler Museum in Linz, Austria. Hitler's plunder was systematic. Specialized groups of SS soldiers swept through conquered villages, museums, and castles for any object that might be valuable to the Third Reich's collection, able to be sold, or in some cases destroyed.⁸ The Nazis not only stole collections of art, they stripped professionals of their livelihoods due to their Jewish ancestry or another so-called "undesirable" distinction. Those who remained in their positions worked under Nazi occupation.

⁸ Lynn H. Nicholas, *The Rape of Europa: The Fate of Europe's Treasures in the Third Reich and the Second World War* (New York: Alfred A. Knopf, 1995), 72.

One of the many cases of museum professionals risking their lives for their collections during World War II occurred in France. A resistance organization known as the Musée de l'homme network, began as a group of museum professionals from anthropological and ethnographic museums and quickly spread to other museums in France.⁹ At its height, nearly 300 professionals worked for this group, publishing material and working to protect their collections. The group was once led by a linguist, Boris Vildé, who was executed by the Nazis for publishing anti-fascist newsletters in the basement of a museum.¹⁰ Other resistance members included Jacques Jaujard, the director of the French National Museum. During his tenure as director, Jaujard was instrumental in the evacuation and protection of the Louvre Museum and the state-owned collections. Jaujard was no stranger to evacuating museum collections. During the Spanish Civil War in 1938, he evacuated pieces from the Prado Museum in Madrid to safety. Jaujard organized a group of 70 trucks to transport art through the Pyrenees mountains into Switzerland to safety from the fighting in Spain.¹¹ When it came time to evacuate the Louvre, he gathered a dedicated team of museum professionals to hide DaVinci's *Mona Lisa* and move the great Victory of Samothrace from its perch on the steps of the Louvre. After the German occupation and the establishment of the Vichy Government, Jaujard advocated on behalf of the French collections. Jaujard was quietly active in the resistance movement. Although he forbade the storing of weapons or anti-Nazi literature, he often forged papers for museum workers and tried to shield his staff from the anti-Semitic policies.¹² Other professionals in the Louvre, such as René Huyghe played a much more active role in the resistance, but Jaujard was careful of his

⁹ Elizabeth Campbell Karlsgodt, *Defending National Treasures: French Art and Heritage Under Vichy* (Stanford, CA: Stanford University Press, 2011), 267.

¹⁰ Karlsgodt, "Defending National Treasures," 268.

¹¹ Rachel Kaplan, "An Unknown Hero: How Jacques Jaujard Saved the Louvre," *Insider France Blog*, accessed May 20, 2018, <https://www.insiderfrance.com/an-unknown-hero-how-jacques-jaujard-saved-the-louvre/>.

¹² Karlsgodt, "Defending National Treasures," 268.

role, as any suspicion of espionage or anti-Nazi feeling would risk the national collection falling into Nazi hands.¹³

Rose Valland played an essential role in Jaujard's plans to protect French art collections. Valland, a 42-year-old curator at the Jeu de Paume Museum was considered an "unassuming but determined single woman with a forgettable, bland style and manner."¹⁴ Although this description is hardly flattering, her low profile made her nonthreatening to the Nazis. She convinced Einsatzstab Reichsleiter Rosenberg's (ERR) team, in charge of gathering work for Hitler's Führermuseum, to allow her to remain at her position in the Jeu de Paume as an expert on French art and an administrative assistant. During this period, Valland secretly gathered information about all of the stolen art, making notes of where the art was from and where the Nazis planned to transport it. She was fluent in German, unbeknownst to her Nazi supervisors, allowing her to listen to their private conversations. Valland reported directly to Jaujard who told her to gather this information, "cost what it may," including her own life.¹⁵ He then passed the information along to the French Resistance who would keep tabs on the art and Nazi movements. This work was hazardous and a number of times Valland could have been charged with espionage and executed. In her book, *Le front de l'art*, Valland recalls a time German art historian Bruno Lohse, discovered her as she copied down an address of a shipment of art. When confronted, she noted that, "he looked me in the eyes and said that I could be shot, I calmly replied that no one here is stupid enough to be unaware of such risks."¹⁶ Although she was able to avoid arrest, Valland still feared the ERR planned to send her to the frontier to be executed or

¹³ Ibid.

¹⁴ Robert M. Edsel, *The Monuments Men: Allied Heroes, Nazi Thieves, and the Greatest Treasure Hunt in History* (New York: Center Street, 2009), xviii.

¹⁵ Karlsgodt, "Defending National Treasures," 204.

¹⁶ Ibid., 205.

to be sent to a work camp.¹⁷ As the Allies marched toward Paris in 1944, Jaujard gave Valland a final task of stopping the last shipment of art to Germany. Using her connections with various museum maintenance and railyard workers, she convinced the rail workers to stage accidents along the track, slowing the progress of the train. The last shipment never reached the German border and was seized by Allied troops, preventing the art from being lost.¹⁸ Valland kept her work a secret until the end of the war, trusting no one but Jaujard with her information. After the liberation of Paris, the Monuments Fine Arts and Archives (MFAA) captain, James Rorimer, spent months building Valland's trust until she gave him her important records documenting the transportation and location of Nazi looted art.¹⁹ Rose Valland's continuous work during the occupation was essential to the discovery and restitution of hundreds of Nazi looted works. Despite the danger the task presented, Valland was committed to protect cultural heritage.

After the war, many museum professionals and art historians elected to join the MFAA Division established by the Allied army. Of the European museum professionals, many had lost their positions to German museum professionals, some persecuted due to their Jewish background, and even in extreme cases sent to work camps. One example of the persecution of museum professionals is Louis Jacob Florus Wijsenbeek. Wijsenbeek worked in the Hague Municipal Museum until May 1940, when Nazis removed all Dutch staff members of Jewish ancestry from their positions. Wijsenbeek then was imprisoned in Scheveningen prison, then Westerbork concentration camp. He survived the camp and returned to the museum profession,

¹⁷ Matilda Simon, *The Battle of the Louvre: The Struggle to Save French Art in World War II* (New York: Hawthorn, 1971), 53.

¹⁸ Karlsgodt, "Defending National Treasures," 205.

¹⁹ "Rose Valland (1898- 1980)," The Monuments Men Foundation for the Preservation of Art, accessed March 4, 2018, <https://www.monumentsmenfoundation.org/the-heroes/the-monuments-men/valland-capt.-rose>.

serving in the Foundation for Netherlands Artistic Property created to recover looted Dutch art.²⁰ Wijzenbeek suffered at the hands of the Nazis due to his Jewish heritage. There were no legal protections in place or a director like Jaujard to protect him from persecution. Despite his suffering, Wijzenbeek dedicated the rest of his life to the museum profession and recovering art stolen from his country.

Museums in the twenty-first century also are the victims of war and armed conflict. Most notable of these museums is the National Museum of Iraq. During the 2003 invasion of Iraq, looting decimated the museum's collection despite preparations made by the staff. As war in Iraq became a likelihood, the protection of the museum was already an important topic at the national level due to the cultural heritage sector's prior losses during the Persian Gulf War. During the 1991 Persian Gulf War, looters stole 5,000 artifacts from 13 regional museums.²¹ The regional museums used an ill-fated safe haven plan, sending important items from their collections to the National Museum in Baghdad.²² This safe haven did not help the country protect its artifacts, instead, made it easier for looters to steal more antiquities. This plan also failed due to the publicity of the safe haven. Dr. Donny George Youkhanna, director of the National Museum, made a statement to the press discussing the removal of objects from the museums at Hatra and Mosul to Baghdad for safekeeping.²³

Iraq was under United Nations sanctions after the Persian Gulf War. These sanctions presented issues in the cultural heritage sector of the country making preparations to safeguard

²⁰ "Louis Jacob Florus Wijzenbeek (1912-1985),"The Monuments Men Foundation for the Preservation of Art, accessed March 4, 2018, <https://www.monumentsmenfoundation.org/the-heroes/the-monuments-men/wijzenbeek-l.-j.-f.>

²¹ Donny George Youkhanna and McGuire Gibson. "Preparations at the Iraq Museum in the Lead-Up to War." *Antiquities Under Siege: Cultural Heritage Protection after the Iraq War*, ed. Lawrence Rothfield (New York: Altamira Press, 2008) 27.

²² Youkhanna and Gibson, "Preparations at the Iraq Museum," 28.

²³ Ibid.

the National Museum in 2003 difficult. The museum had few trained professionals on staff. Many of the practices which are typical of good collections management policies had stopped at the onset on the Persian Gulf War. The short-staffed museum did not have the resources to perform regular inventories. Therefore, the museum lacked an up-to-date catalog of all items in the collection. As preparations began, the National Museum's main galleries took two weeks to empty and store. Often these items would be stored without any proper documentation.²⁴ However, the dedicated museums staff did take some precautions at the museum. The staff blocked the front doors with cement slabs. In the galleries, the larger objects that could not be removed were surrounded by phone and sandbagged.²⁵ These barrier methods allowed for some protection of the collection, but oversights in security allowed the looters to access the museum in other ways since there was no key control system. The doors to the storage areas were left unlocked. Therefore, the looters entered the storage area and stole thousands of cylinder seals.

Dr. Jabber Khalil and the Iraqi Ministry of Culture employed other preventative measures protecting the museum. One of these measures including the removal of any basic object record and important ancient manuscripts from the museum's Manuscript House to an offsite bomb shelter. This action allowed the museum to have access to their rudimentary records after the conflict, enabling the museum to assess the damage as best as possible. Only five professionals knew of the secret locations that some of the collection had been moved. These staff members swore on the Qur'an to never reveal this secret.²⁶ The dedication of these

²⁴ Ibid.

²⁵ Corine Wegener and Marjan Otter. "Cultural Property at War: Protecting Heritage during Armed Conflict." *The Getty Conservation Institute* 23 (Spring 2008): 1.

²⁶ Youkhanna and Gibson, "Preparations at the Iraq Museum," 30.

museum professionals prevented the looting of the entire collection but the loss at the National Museum of Iraq was catastrophic.

The museum regularly employed a team of over forty uniformed guards. In both times of peace and war, these men guarded the museum. The guards lived behind the museum complex and carried weapons during their patrols. As the United States (U.S.) forces began to approach the museum, the guards fled. The abandonment of the museum by the guards left the institution vulnerable to looters, but it was the best decision to protect the lives of the museum guards. The guards wore uniforms similar to the Iraqi army. If they had stayed at their post in their uniforms, they might have been fired upon by invading army.²⁷ On April 8, 2003, only five professionals remained at the museum complex: Dr. Khalil, Dr. Youkhanna, Muhsin Hassan, a curator, and Hassan's son. Hassan and his son lived on the museum property and elected to stay through the invasion. They locked themselves in their home and waited for the fighting to be over. The other museum professionals fled the museum, assuming they would be able to return in a few hours. They were not allowed back for several days. The museum suffered very little physical damage from the fighting between the U.S. Army and the Iraqi Republican Forces. It was the looters who caused the most damage. The looters were ordinary people, who saw the museum as a way to get rich quick. The looting began on April 10, 2003. Hassan and his son attempted to stop the looters but their lives were threatened. Frightened, they returned to their home.²⁸ The looting lasted for two days until April 12, when reporters arrived at the museum to cover the events that had taken place. Staff members began to return as well. The staff secured the building by putting up chains and creating a sign saying the museum was under the jurisdiction of the U.S. Army. This bluff

²⁷ Youkhanna and Gibson, "Preparations at the Iraq Museum," 30.

²⁸ John F. Burns, "A Nation at War: Looting; Pillagers Strip Iraqi Museum of Its Treasure," *The New York Times*, April 13, 2003, accessed June 15, 2018, <https://www.nytimes.com/2003/04/13/world/a-nation-at-war-looting-pillagers-strip-iraqi-museum-of-its-treasure.html>.

stopped the looting.²⁹ The U.S. Army only arrived to protect the museum on April 13, after the damage was already done. The museum professionals, including Dr. Youkhanna tried to return to the museum several times and Hassan had also appealed to the U.S. Army to protect the museum. Despite the pleas of the cultural heritage professionals, the invading army neglected to protect the museum.

After the looting of the National Museum of Iraq and the rampant destruction of cultural heritage in the nation, the international community rallied to support their Iraqi colleagues. Italy sent the Carabinieri for the Protection of Cultural Heritage, part of the Italian military, in June, 2003 to assist with the recovery of the various looted museums, to implement a community-based policing program, and to protect archaeological sites.³⁰ In Baghdad, Major Giuseppe Marseglia worked with the staff of the National Museum, gaining their trust, then assisting them by compiling the records of the looted artifacts onto the Carabinieri's database. This collaborative work is still available online should any of the looted material reappear in the art market today. Marseglia assisted the Iraqi museum professionals by canvassing local art dealers and markets to check if any of the museum's collection was for sale. The Carabinieri in Baghdad also educated the public on the importance of their cultural heritage and established a virtual museum for those who might not be able to visit the museum in person.³¹ The second part of the Carabinieri's mission included the protection of archaeological sites. The group faced challenges including locals who had built their homes and found refuge from the violence in and around these archaeological sites. Often, these villagers would loot the sites and sell the artifacts in order to feed their families. The Carabinieri's presence did stop some of the looting but the group

²⁹ Youkhanna and Gibson, "Preparations at the Iraq Museum," 31.

³⁰ Laurie Rush, "Carabinieri, Peacekeeping and Foreign Relations: The Carabinieri Mission to Iraq," *Journal of Art Crime* 14 (2015): 73.

³¹ Ibid.

recognized, “in order to save archaeological sites in a crisis area it is essential to support members of the local population in the protection of their own cultural property.”³²

Although Carabinieri’s mission was successful in its first year, the professionals worked in dangerous conditions. There were rumors of an impending terrorist attack but no definite information became available that would have helped officials prevent the act from occurring. In November 2003, terrorists rammed a fuel lorry into the Nasiriyah Chamber of Commerce, where over 300 Carabinieri officers were based. The lorry exploded, killing 12 Carabinieri officers, six soldiers, and three civilians. More than 70 other Italian citizens suffered injuries as well as countless Iraqi civilians.³³ The terrorist attack affected the emerging relationship between the Carabinieri and the local civilians. Increased security measures and the emotional effects of the bombing affected the mission. The attack at Nasiriyah is the greatest loss of Italian life during an armed conflict since World War II. Despite the devastating loss, the mission continued after moving the Carabinieri headquarters to Amman, Jordan.³⁴ The Carabinieri guarded archaeological sites and trained the Iraqi Facilities Protection Service (FBS), tasked with guarding these sites. The newly trained guards also faced danger in their work. One of the FBS was ambushed and killed on his way to his station at an archaeological site in 2012.³⁵ Although the partnership between the Carabinieri and the Iraqi people continues today, the Italian government is wary and the Carabinieri, “does not want to place valuable, trained individuals in harm’s way when there may be no realistic hope of meaningful protection given the wide range of potential local situations in crisis areas.”³⁶

³² Rush, “Carabinieri, Peacekeeping and Foreign Relations,” 75.

³³ Ibid.

³⁴ Rush, “Carabinieri, Peacekeeping and Foreign Relations,” 76.

³⁵ Ibid.

³⁶ Ibid.

Current events in Syria and Iraq also show how museum professionals are still in danger during times of armed conflict. Perhaps one of the most horrific acts against professionals was the brutal murder of Khaled al-Assad, former director of antiquities at the archaeological site and museum of Palmyra, Syria in 2015. His unwavering passion for Palmyra spanned a 40-year career at the site and attendance at numerous scholarly conferences. Al-Assad was affectionately known as “Mr. Palmyra.” The terrorist organization, Islamic State of Iraq and Syria (ISIS) occupied Palmyra from May 2015 until March 2017. During this period, its members committed atrocities against the archeological site by destroying the museum and the archaeological ruins of the Temple of Bel, the tower tombs, and the Roman Theater. The group targeted al-Assad and his son Walid, who succeeded him as the director of antiquities at Palmyra due to ISIS’s iconoclast beliefs. The terrorist organization also wanted information about parts of the museum collection al-Assad had hidden before the occupation of Palmyra. Al-Assad refused to tell ISIS the whereabouts of the antiquities. The 83-year-old was tortured and interrogated for a month before being beheaded in August 2015. His body was hung from the ruins of his beloved archaeological site and his head placed at his feet. A sign was attached to his body justifying the brutal murder, which read “director of idolatry.”³⁷ Al-Assad’s murder outraged the international community. UNESCO Director General Irina Bokova condemned the murder and paid homage to al-Assad’s dedication to Palmyra.³⁸ Another Syrian museum professional killed around the same time as al-Assad was Qasem Abdullah Yehiya, assistant director of laboratories at the Syrian Directorate General of Antiquities and Museums (DGAM). Yehiya’s work focused on the

³⁷ Johnathan Foyle, “Khaled al-Assad Palmyra’s Antiquities Custodian: 1932-2015,” *The Financial Times*, August 21, 2015, accessed April 29, 2018, <https://www.ft.com/content/1bd84ace-47f1-11e5-b3b2-1672f710807b>.

³⁸ “Director-General Irina Bokova deplores the loss of two leading scholars of Syrian antiquity,” UNESCO, 2015, accessed June 1, 2018, <https://en.unesco.org/news/director-general-irina-bokova-deplores-loss-two-leading-scholars-syrian-antiquity>.

restoration of ancient artifacts. He was killed by rockets targeted at the Citadel of Damascus and the National Museum as he inspected the laboratories of the DGAM. Not only was the loss of Yehiya catastrophic, Syrian rebels took deliberate measures to target a cultural heritage site, which, as a UNESCO World Heritage site, should have been on a no-strike list. Yehiya's death also impacts the recovery of Syrian cultural heritage. In the post-conflict years to come, he would have been a valuable expert of reconstruction and restoration of artifacts damaged by the civil war. Although the deaths of these two professionals have outraged the international community, little has been done to prevent such atrocities from happening again. Organizations such as UNESCO meet and condemn the act but they fail to engage and support those professionals who still must work in areas of armed conflict and help with their needs.

Despite the dangers and threat of harm, Syrian and Iraqi cultural heritage professionals continue to work in conflict zones protecting museums and archaeological sites. Layla Salih, the head of the Heritage Department at Nineveh Antiquities for Iraq's State Board of Antiquities and Heritage, has remained in Iraq through the turmoil, protecting cultural heritage. Originally from Mosul, Salih studied at Baghdad University, then became curator at the Mosul Museum in 2003, shortly before the U.S. invasion. She assisted her colleagues preparing the Mosul Museum for the impending U.S. invasion before returning to Baghdad to complete her Master's degree.³⁹ With her prior experience preparing for armed conflict, Salih continues her work, protecting cultural heritage from ISIS. Shortly after the occupation of Mosul began in June 2014, Salih and her colleagues at the Mosul Museum met with ISIS officials, begging them to not destroy any more cultural heritage. Their pleas went unheard as the terrorist organization looted the Mosul

³⁹ Joshua Hammer, "The Salvation of Mosul," *Smithsonian Magazine*, October 2017, Accessed April 30, 2018, <https://www.smithsonianmag.com/history/salvation-mosul-180964772/>.

Museum and destroyed a Sufi shrine.⁴⁰ Salih and her family fled in August 2014, leaving the museum and many of her colleagues behind. She continued to monitor the situation via Facebook and phone calls from Baghdad. However, as ISIS's hold on Mosul became stronger, the terrorist group cut phone lines, punished those with mobile phones, and imprisoned museum professionals like Salih's supervisor. Salih continued to work for the Iraqi Ministry of Culture and when the allied Combined Joint Task Force armies and Iraqi armies began the Mosul offensive in 2016, she quickly volunteered to survey the damage at Nimrud and Mosul. Despite the fighting, Salih went about her work with ease, "I know the city well, I have 17 years with the antiquities department. I am not scared of land mines, tunnels, or fighters," she stated in an interview for Smithsonian Magazine.⁴¹

During 2017, Salih spent her summer in Amelia, Italy, with the Association for Research into Crimes against Art's (ARCA) summer post-graduate program studying art crime and cultural heritage protection. Salih was able to attend this program through ARCA's Minerva Scholarship for Iraq, Libya, Syria, and Yemen. This scholarship is offered to museum professionals from conflict countries to give these professionals the tools to help their cultural institutions rebuild. Minerva Scholars attend ARCA's program free of charge and all expenses paid.⁴² While Salih studied in Italy, Iraqi Prime Minister Haider Al-Abadi declared victory in Mosul in July 2017. While the city is now free from ISIS oppression, the damage to cultural heritage is extensive. Salih estimated that fighting destroyed 65% of Mosul's cultural heritage.⁴³

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² "Minerva Scholarship for Iraq, Libya, Syria, and Yemen." Association for Research into Crimes against Art, accessed April 30, 2018, <http://www.artcrimeresearch.org/minerva-scholarship/>.

⁴³ Hammer, "The Salvation of Mosul," 7.

Salih's colleagues survived the occupation as well. Together they begin to assess the damage and to rebuild their city.

Historically, museums have been the victims of war and occupation. Their collections have been plundered and their professionals persecuted. Despite the danger, museum professionals are dedicated to their collection and the protection of cultural heritage at large. These conflicts inspired legislation such as the 1954 Hague Convention to the 1971 UNESCO Convention to the 2017 UN Resolution 2347 for the Protection of Cultural Heritage. The protection of cultural heritage continues to be a hot topic as the conflicts in Syria and Iraq continue. However, there is a need for the international museum community to protect fellow museum professionals both, through legislation and other programs offering safety and support.

Chapter 2

Legislation and Programs Affecting the Museum Profession and Beyond

One of the critical modes of protecting museum professionals is legislation. The museum community needs to evaluate and utilize forms of legislation that govern museums to protect professionals. Having understood the current legislation, the international community can protect museum professionals in determining what laws need to be developed. Many of these documents have been in effect since before World War II, and create a foundation for the protection of cultural heritage. The protection of museum professionals is lacking from these documents and their subsequent amendments. In addition, programming protecting museum professionals must be created in order to provide support for colleagues who work in areas of armed conflict. These should provide the necessary support and resources. Some limited programs do exist for scholars that work with cultural heritage. However, these programs are often inadequate. There are protections and plans in place to protect professionals such as journalists who find themselves embroiled in areas of armed conflict. These other disciplines can help the museum profession begin to take the next steps and draft similar protections to help colleagues found in these dire situations.

Before the beginning of World War II, Nicholas Roerich, a Russian philosopher was one of the first to propose legislation to protect historical monuments during times of warfare. In partnership with the International Committee of the Red Cross, Roerich and the League of Nations collaborated, to draft the Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments, known as the Roerich Pact, on April 15, 1935. 21 nation states in the

League of Nations and Pan American Union signed the pact. However, only ten nations ratified it as law in their countries. In the Roerich Pact, the first article states:

The historic monuments, museums, scientific, artistic, educational and cultural institutions shall be considered as neutral and as such respected and protected by belligerents. The same respect and protection shall be due to the personnel of the institutions mentioned above. The same respect and protection shall be accorded to the historic monuments, museums, scientific, artistic, educational and cultural institutions in the time of peace and war.⁴⁴

The Roerich Pact makes specific mention of the personnel working in the institutions. This specification is important since it grants that museum and cultural professionals at large protection and respect under the legislation. Although the Roerich Pact is a short-lived document, the ten states that ratified it are bound by the articles outlined by this piece of legislation. The other signers are not. The Roerich Pact is the foundation of the post-World War II legislation, The 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict. This is commonly known as the 1954 Hague Convention.

Before both the Roerich Pact and the 1954 Convention, there were two Hague Conventions written in 1899 and 1907, respectively. These two documents laid the foundations for dealing with cultural heritage at risk during armed conflict. Despite the prior versions, the 1954 Convention and its protocols deal with the direct consequences of World War II.⁴⁵ As discussed in Chapter 1, during the war, the Nazi party intentionally destroyed and looted cultural property. Additionally, Nazis ousted artists and professionals from their positions due to their political affiliations, artistic movement, and their religious beliefs. The Hague Convention

⁴⁴ League of Nations and the Pan American Union, *Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments [Roerich Pact]* (Washington D.C., 1935), 1.

⁴⁵ Patty Gerstenblith, "The 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict: Its Background and Prospects for Ratification in the United States." in *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, ed. Lawrence Rothfield (New York: AltaMira Press, 2008), 79.

defines cultural property as belonging to all people and “that it is important that heritage should receive international protection.”⁴⁶ The Convention places responsibility on all state parties involved in the armed conflict to protect cultural heritage. Nations must take every opportunity to safeguard their cultural property before any hostilities, ensuring that they protect it to the best of their abilities. The invading state party must avoid causing intentional harm to cultural property, using military strategy to avoid making it a target.⁴⁷ Even if the occupied nation failed to take protective measures, the invading nation-state still must abide by Article 4 of the Hague Convention, which places some responsibility for cultural heritage on them.⁴⁸ Although the Convention tries to prevent military usage of cultural heritage, Article 4 (2) states that cultural heritage may be put in harm’s way only out of military necessity. This controversial article gives some leeway to invading nation states therefore, putting cultural heritage at risk.⁴⁹ UNESCO drafted the Second Protocol to the Hague Convention in 1999, which clarified Article 4(2) of the first protocol issued in 1954. Article 6 and 7 of the Second Protocol discuss the use of cultural property as a military objective. These articles made obtaining a military waiver much more difficult in hopes of protecting heritage at risk.⁵⁰

All nations states have not ratified both the First and Second Protocol of the Hague Convention. 132 nations ratified the initial 1954 Convention, while only 79 have signed the Second Protocol. The United States only ratified the 1954 Convention in 2009 and has yet to sign the Second Protocol.⁵¹ Afghanistan, a country whose heritage has been at the center of

⁴⁶ UNESCO, *The 1954 Hague Convention* (The Hague 1954), 8.

⁴⁷ Gerstenblith, “1954 Hague Convention Background,” 80.

⁴⁸ *Ibid.*, 81.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*, 82

⁵¹ Corine Wegener, “The 1954 Hague Convention and Preserving Cultural Heritage,” *Archaeological Institute of America: Heritage Conservation & Archaeology*, October 19, 2010.

conflict for over a decade only ratified the initial 1954 Convention in 2017.⁵² The case of the 2003 U.S. invasion of Iraq and the subsequent looting of the National Museum of Iraq illustrate why all nations must ratify the Conventions and Protocols. Iraq signed and ratified the Convention in 1967.⁵³ Since Iraq is party to the Convention, the nation had a responsibility to uphold their end of the treaty and take measures to protect their collection. However, since the United States had failed to sign the Convention until 2009, they did not have to follow the protocol set forth by the Hague Convention. The slow march toward complete ratification has impacted the world's cultural heritage, allowing for armed conflict to endanger cultural property and for military tactics to target them.

The Hague Convention describes all types of cultural property that the Convention seeks to protect during armed conflict.⁵⁴ By listing all items protected by the legislation, the list intends to be inclusive of all types of tangible cultural heritage, leaving no category unlisted. The extensive list includes elements such as architectural monuments, books, archaeological artifacts, art, and museums. However, the list misses a critical element that the first article of the Roerich Pact addresses: cultural heritage professionals.

The Hague Convention alludes to cultural heritage professionals in only a few places in the extensive documents. Museums professionals under the Convention are mandated to take preventive and protective measures when armed conflict threatens their collections. In addition, these professionals are expected to work with the occupying forces to educate them on the importance of the nation's cultural property and why it is deserving of protection. Occupation

⁵² "List of State Parties in Chronological Order," UNESCO, accessed March 6, 2018, 20.

<http://www.unesco.org/eri/la/convention.asp?KO=13637&language=E>.

⁵³ "Conventions – Iraq," UNESCO, accessed March 6, 2018, <https://en.unesco.org/countries/iraq/conventions>.

⁵⁴ Gerstenblith, "1954 Hague Convention Background," 80.

defined in the 1907 Hague Convention as “a territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established.”⁵⁵ The International Committee of the Red Cross considers the terms occupation, invasion, administration, and liberation as synonymous.⁵⁶ Therefore, a force which uses any of these terms must abide by international humanitarian law set forth by the Hague Conventions and United Nations (UN) legislation. Occupation is technically legal through the UN charter, but it is only considered a temporary situation. Therefore, the rights of the occupying party are limited. Although an occupying force has control over a specific area, they do not have sovereignty over the area and must respect the laws put in place by the occupied government. International humanitarian law protects the occupied territory and attempts to dictate what invading forces can and cannot do. These governing principles specify that the occupying force must restore public order. This task is not as simple as the International Committee of the Red Cross instructs. The Red Cross also mentions cultural property in regards to occupying forces. Governing principles dictate occupying forces must respect cultural property; however, they have the right to seize any public property which includes some museum collections.

The 1954 Hague Convention addresses some of the principles set forth by its 1907 iteration. Article 15 of the 1954 Convention, regarding personnel states:

As far as is consistent with the interests of security, personnel engaged in the protection of cultural property shall, in the interests of such property, be respected and, if they fall into the hands of the opposing Party, shall be allowed to continue to carry out their duties whenever the cultural property for which they are responsible has also fallen into the hands of the opposing Party.⁵⁷

⁵⁵ “Occupation and international humanitarian law: questions and answers,” International Committee of the Red Cross, accessed June 29, 2018, <https://www.icrc.org/eng/resources/documents/misc/634kfc.htm>.

⁵⁶ Ibid.

⁵⁷ UNESCO, *The 1954 Hague Convention* (The Hague, 1954), 20-22.

Occupying forces are also required to work with cultural heritage professionals. While the Convention has the best intentions, it is impractical to assume an occupying military force would be willing not only to prioritize cultural heritage but work alongside professionals from the occupied nation to help protect it. The Convention refers to these professionals as “national authorities.”⁵⁸ The International Committee of the Red Cross also dictates that their personnel are to be allowed to carry out their humanitarian work. However, the international museum community must consider not every cultural heritage professional is part of the national authority and may not be party to the respect that is granted to these authorities by the invading forces. In general, the international community cannot know if the occupying forces will abide by the laws that are supposed to govern occupying forces. If the forces are not necessarily a state party, instead, a terrorist organization, they do not have to abide by international convention and may govern as they please.

Article 16 of the 1954 Convention states that cultural property must be appropriately marked in order for it to be recognized and protected. The symbol of the Red Cross inspired Article 16. The Red Cross emblem marks medical buildings, humanitarian organizations, and personnel who provide humanitarian aid during armed conflict. Buildings or garments that bear the symbol must clearly display it. International law protects marked buildings and persons from harm. Targeting a building or person protected by the Red Cross symbol is a war crime.⁵⁹ UNESCO created the Blue Shield symbol as an equivalent of the Red Cross for cultural heritage sites. Article 17 of the 1954 Convention specifies the uses of the Blue Shield and the people who

⁵⁸ Gerstenblith, “1954 Hague Convention Background,” 81.

⁵⁹ “The Emblems,” International Committee of the Red Cross, accessed June 29, 2018, <https://www.icrc.org/en/document/emblems>.

may use the symbol. This Article mentions cultural heritage professionals. Article 17, Section 2b-c states that the symbol may be used to identify the people responsible for the cultural property and make decisions on its behalf. Those who wear the symbol are the professionals who are expected to work with the occupying party. The Blue Shield can also be used to identify “the personnel engaged in the protection of cultural property.”⁶⁰ There are no specifications that the Convention expands on; therefore, it is unclear what kinds of professionals are protected by the Blue Shield. Is the symbol reserved for curators, directors, and registrars or is it open to development directors and maintenance staff as well? In short, yes, these people should be protected. All of the professionals mentioned above play a part in the workings of a museum and have particular knowledge of the institution. Without one member of the team, the museum will struggle to function.

The lack of specificity in the Hague Convention allows for other organizations to be ultra-specific in whom and what they choose to protect. Scholars, including some museum professionals, are afforded some protections through these organizations. A few of these organizations include “Scholars at Risk” (SAR) program and the Institute of International Education Scholar Rescue Fund (IIE-SRF). The latter in particular is extremely selective. In order to qualify for the use of this fund and to be able to relocate, the academic must be the highest qualified in his or her field, holding a Ph.D.⁶¹ However, many museum and cultural heritage professionals do not hold a Ph.D. degree as it is usually not a requirement to enter and work within the profession. Some hold master's degrees and still others do not have any formal training at all. As a result, there is only a limited number of professionals who may apply for the

⁶⁰UNESCO, *The 1954 Hague Convention* (The Hague, 1954), 22-24.

⁶¹ “Eligibility Criteria,” Institute of International Education Scholar Rescue Fund, accessed March 23, 2018, <http://www.scholarrescuefund.org/scholars/eligibility-criteria>.

IIE-SRF. The SAR program is open to scholars who do not have a Ph.D. but is for a limited, one-year term.⁶² These two organizations do provide aid but do not assist those who are not considered the highest in their field. Although the professionals in question may not hold the highest formal degrees, they may nevertheless have significant field knowledge about cultural artifacts, museums, and other objects of cultural heritage. They are the stewards of their collections and know the best practices that work well for their institutions. Registrars know the particulars of the collections and about the storage of objects. Curators, in turn, know the history of objects and their changing cultural meanings. Custodians know the building that houses these objects of lasting cultural significance, whereas educators understand what a collection and its objects mean to a community. All of these professionals must function together in order for the museum to function in times of peace, therefore in times of war and recovery and it is essential to protect these members.

In Article 7, the 1954 Convention encourages each state party to “plan or establish in peacetime, within their armed forces, services or specialist personnel whose purpose will be to secure respect for cultural property and to co-operate with the civilian authorities responsible for safeguarding it.”⁶³ During World War II, the Allied Forces established the Monuments, Fine Arts, and Archives Division of their armies, commonly known as the Monuments Men program. This division was a group of art historians, conservators, and other heritage professionals tasked with safeguarding cultural heritage. The Monuments Men worked with local civilians and museum professionals to recover looted art and create strategic military plans which would ensure heritage would not be in harm’s way. Today, the U.S. Committee of the Blue Shield trains

⁶² “Get Help,” Scholars at Risk, accessed March 23, 2018, <https://www.scholarsatrisk.org/get-help/>.

⁶³ UNESCO, *The 1954 Hague Convention* (The Hague, 1954), 12-14.

military to recognize the importance of cultural heritage. Although some in the United States military may understand the value of archaeological sites, museums, and other cultural heritage, they still lack the detailed knowledge of the museum in the city they are invading or the specific conservation needs of a monument. Only that nation's heritage professionals possess that knowledge. Without their input, the Blue Shield's teachings can only go so far.

Since the 1954 Hague Convention and its subsequent protocols, UNESCO has continued to work on making the protection of cultural heritage during times of both peace and conflict a priority. One of the emergency measures created by the second protocol is the Committee for the Protection of Cultural Property in the Event of Armed Conflict. This intergovernmental agency is charged with the implementation of the Second Protocol, establishing enhanced protection for cultural heritage sites, promoting the identification of sites under protection, considering requests for assistance and determining the use of the Fund for the Protection of Cultural Property in the Event of an Armed Conflict. The fund provides financial assistance to help with protective measures in the days leading up to the armed conflict, emergency resources, and recovery of cultural heritage sites. This fund made of voluntary contributions made by organizations, nations, and individuals. It is not a mandatory fee that all nations must pay. The fund gives international assistance by preparing staff and specialists to protect cultural property, provide international expert advice to those heritage professionals, helping to prepare emergency plans and websites, creating safe havens for cultural property, and sending international professionals into the area to help the institutions recover.⁶⁴ Although there have been success stories in El Salvador, Libya, and Mali, the fund is difficult to apply for, and heritage professionals who are in areas of conflict

⁶⁴ "The Fund for the Protection of Cultural Heritage in the Event of Armed Conflict," UNESCO, accessed April 1, 2018, <http://www.unesco.org/new/en/culture/themes/armed-conflict-and-heritage/protection/fund/>.

may find it difficult to fill out the four-page application and wait for its review. There is a six-month prior deadline for any use of the funds, in case of dire situations, the application may be reviewed on an ad-hoc basis. The fund prioritizes implementing protective measures rather than being used as an emergency resource during a conflict. Additionally, the fund does not provide aid to those professionals who are “boots on the ground.” UNESCO is willing to provide their own people to help assess and create these programs but does not truly consider the knowledge and expertise of the local heritage professionals. While the push for international cooperation and support is a step in the right direction, UNESCO must consider the actions and safety of its peers trapped in conflict zones and the risks they take to ensure the protection of cultural heritage. Adding a clause into the fund that would specifically provide support for local heritage professionals would not only help ensure their safety, but allow them to continue their work.

A common fund such as The Fund for the Protection of Cultural Heritage in Event of Armed Conflict is not a new concept. Other professions have funding in place to ensure the protection of their peers. One example of these funds is the Gene Roberts Emergency Fund from the Committee to Protect Journalists (CPJ). Comprised entirely of private donations, journalists may request assistance from this fund in times of crisis.⁶⁵ The CPJ allows journalists from around the world to contact them via a secure website or contacting one of their regional representatives. Although the organization cannot help every journalist in danger, they prioritize crisis situations.

The Committee to Protect Journalists has also published several types of resources for their professionals to utilize during specific situations, such as a specific resource is for

⁶⁵“The Gene Roberts Fund for Emergency Assistance,” Committee to Protect Journalists, accessed March 23, 2018, <https://cpj.org/emergency-response/the-gene-roberts-fund-for-emergency-assistance.php>.

journalists who work in areas of armed conflict. The CPJ suggests that all journalists prepare when they cover a story in a conflict zone. One of these precautions suggests security training, usually by private firms that equip journalists with the basics of combat, first aid, and various personal-awareness skills which will help prepare them for being in the throes of armed conflict.⁶⁶ Although these courses may be expensive, costing up to \$3,000, CPJ offers a training fund to help offset costs, therefore allowing more journalists to access this training. In less developed nations, UNESCO and other large-scale organizations do offer some training, but training is not on a regular basis. Museum professionals could benefit from a similar style of training.

The CPJ also offers a variety of resources for its colleagues who are already in conflict zones in case of emergencies. The resources include listings of other organizations that provide emergency relocation, prison support, legal support, and support for families of journalists in conflict zones and at home.⁶⁷ They also provide funds for confiscated and destroyed equipment. This kind of support aids the journalists who work in these conditions, ensuring that they are supported by the international community even as the conflict continues. The museum profession could easily gather these types of resources and present them in one place, such as the International Community of Museums (ICOM) website or the International Committee of the Blue Shield. The wide breadth of resources CPJ offered covers the major issues that may present those in the journalism profession when covering stories in dangerous conflict zones. The museum community could also work to establish and gather these resources and place them into categories. Similar categories that are related to both professions include emergency relocation,

⁶⁶ Frank Smyth, "CPJ Journalist Security Guide," Committee to Protect Journalists, accessed March 23, 2018, <https://cpj.org/reports/2012/04/journalist-security-guide.php>.

⁶⁷ "Resource Center: Emergency Response," Committee to Protect Journalists, accessed March 23, 2018, <https://cpj.org/emergency-response/resource-center.php>.

funds for equipment, and legal support. Other categories that the museum profession could provide for their colleagues could be specified reports and precaution manuals to prepare their collections in addition to offering safety courses for both the museum and the professionals working in it.

The legislation and programs governing the protection of museums have grown since the Second World War with the globalization of the museum community. While legislation such as the 1954 Hague Convention has been groundbreaking for the protection of cultural heritage during armed conflict, the protection of the cultural heritage professional still leaves much to be developed. While some programs have been in place for those who are the highest level of education in their field, the international community must acknowledge those professionals who do not have the highest degree, but are nonetheless worthy of respect and protection during armed conflicts. Other professions, such as the journalist profession, can be a model for the future protection of museum professionals during armed conflict. By making additions to international conventions, and developing resources and programs, the international museum community can begin to move forward and help its peers during times of duress.

Chapter Three

Applying Programs to Professionals

In combination with legislation a practical mode for protecting museum professionals affected by armed conflict are programs which relocate professionals to safety. Programs have been established to protect cultural heritage from areas of armed conflict. The Association of Art Museum Director's Safe Haven Protocol is a program like this. It has the potential to be applied to protect museum professionals from areas of armed conflict who need a safe haven. By applying these principles to colleagues in danger the museum community can provide much-needed aid, foster international cooperation, and provide dignity to its colleagues who have been forced to flee their homes and research. While other professions have these types of programs and resources already in place, the museum profession can look to its fledgling programs already in place for inspiration. Programs by the University of Pennsylvania Museum of Archaeology and Anthropology, known as the Penn Museum, and the museums in Berlin, Germany have impacted both museum professionals and refugees in general. These programs provide jobs and educate the broader public on the importance of cultural heritage protection. The programs in place and those that could be established also represent the shift in the greater museum profession. Increasingly, museums have become more about the communities they serve rather than the items in their collection. This careful balance of collections stewardship and serving the community can have a powerful impact on both museum professionals from areas of armed conflict, safe haven institutions, and the broader museum community. Looking inward, the

museum profession has already established programs and resources that will be invaluable in creating a reliable resource for museum professionals who work in areas of armed conflict. These programs and resources will provide them with a livelihood and the collections they guard a safe place to continue their work and study.

In 2015, the Association of Art Museum Directors (AAMD) created the AAMD Protocols for Safe Havens for Works of Cultural Significance from Countries in Crisis. This document puts forward a set of guidelines for institutions to help other museums in areas of armed conflict to safeguard their museum collection through international cooperation. The principles of AAMD's Safe Haven program could be redesigned and redeveloped by other organizations to provide aid to cultural heritage professionals in areas of armed conflict. The term "safe haven" is defined as, "a place where you are protected from harm or danger."⁶⁸ While the AAMD has applied this to the objects in a museum's collection, the definition could be applied to the professional who cares for the collection. The original AAMD Protocol acts as a supplement and in support of the Hague Convention. The AAMD suggested that safe havens are ideal when international museum professionals cannot assist and serve as "boots on the ground" resources for their peers. The 240 members of the AAMD include directors of major museums throughout North America. These 240 museums cater to a wide range of subjects and fields, which would allow safe haven objects to fit with their mission.

Safe haven institutions are not a new concept in the museum profession. During the conflicts of the twentieth century such as the Second World War. Museums sent their collections away to safer locations to prevent their looting, damage, or destruction. The AAMD formalized a

⁶⁸ "Definition of Safe Haven," Cambridge Dictionary, accessed May 20, 2018, <https://dictionary.cambridge.org/us/dictionary/english/safe-haven>.

set of guidelines for the institutions acting as safe havens in the wake of the rampant destruction and looting of cultural heritage by ISIS in Iraq and Syria. The AAMD acts under the pretense that cultural heritage belongs to humanity as a whole and it is the duty of those in the international museum community to assist in protecting humanity's collective cultural heritage.⁶⁹ The AAMD Safe Haven Protocol is in support of the 1954 Hague Convention but seeks to go above and beyond the call of duty suggested in the 1954 Convention.⁷⁰ While the Hague Convention suggests aiding museums by protecting collections *in situ*, AAMD's Safe Haven provides a resource for institutions to send their collections abroad.

In order to send their collections abroad, museums must meet specific criteria to utilize the Safe Haven program. If the program is modified to serve museum professionals as well, they too would need to meet a set of criteria. The objects in question must come from a museum in an area of armed conflict or natural disaster, and legal title must belong to the museum. Objects must have object records and condition reports made before the transfer and upon arrival at the Safe Haven institution. The objects are also protected under the law and are immune from seizure while in the possession of the Safe Haven museum. The Safe Haven institutions, in turn, must treat the object as a loan. In the case of museum professionals seeking a safe haven, they should be an employee of a museum in an area of armed conflict or natural disaster who provide evidence to support these qualifications. Additionally, they should not be considered a permanent employee of the Safe Haven institution. Instead the professional should be considered a guest curator or registrar who will care for the collection and return to their home once it is safe for both the professional and the collection. In the Safe Haven Protocol, the home institution has

⁶⁹ Association of Art Museum Directors (AAMD), *AAMD Protocols for Safe Havens for Works of Cultural Significance from Countries in Crisis* (2015), 1.

⁷⁰ Ibid.

final say over how the objects can be used and can make specifications for its storage and specialized care, including conservation needs.⁷¹ A museum professional from the collection's home institution would be able to ensure that the proper care is being given to these objects and can advocate on behalf of the collection. AAMD states that these loans should be made public, making the Safe Haven institution publish the objects in question on their website and register them with the AAMD's Object Registry. The public nature of the loan ensures transparency on the part of both institutions and the AAMD whose guidelines they are following.⁷²

The Safe Haven Protocol also encourages education and community engagement. The AAMD suggests:

When appropriate, and with the permission of the depositor, works may be exhibited and all information known made available to the public preferably in conjunction with the educational material about the importance of safeguarding a county's cultural heritage.⁷³

This article allows for museums to advocate for cultural heritage that is in areas of armed conflict and educating the public on the importance of safeguarding cultural heritage. Objects also are available to scholars for research in order for scholars to understand the importance of these pieces of cultural heritage even more. These details of the AAMD Safe Haven Protocol can be readily applied to the case of museum professionals in areas of armed conflict. Assisting these professionals by relocating them and allowing them to be a curator or scholar in residence at the Safe Haven institution would be an asset to the museum. These professionals could continue their research on the objects they were stewards of and ensure their care in the Safe Haven

⁷¹ AAMD, *Protocols for Safe Havens* (2015), 3.

⁷² "Safe Haven Objects," Association of Art Museum Directors, accessed October 2017, <https://aamd.org/object-registry/safe-haven-objects/more-info>.

⁷³ AAMD, *Protocols for Safe Havens* (2015), 3.

museums. Perhaps the most significant benefit of having these international professionals in residence would be giving the public a further perspective on the objects in its care and the greater issue of cultural heritage in danger. By examining AAMD's Safe Haven Protocol with the scope of protecting museum professionals it is clear that this program can be adapted to assist those professionals in need as it fits well within the protocols.

Existing programs in the museum community could also be expanded and developed to assist museum professionals displaced by armed conflict. The Penn Museum has a similar program to the proposed addition to the Safe Haven program. The Global Guides program at the Penn Museum enlists the expertise of native Iraqi and Syrian guides. Although the members of the Global Guides program are not part of the museum profession, some served as medical interpreters or professors in their native countries.⁷⁴ The purpose of the program is to help visitors understand and connect with the objects in the Ancient Near Eastern galleries.⁷⁵ These guides are recent immigrants or refugees from these countries who relocated to Philadelphia. Each, however, was inspired by their local history and culture. They provide a unique perspective on the history and allow them to maintain their connection with their own culture while displaced. Providing a program such as this specifically for museum professionals would benefit the museum and the public immensely. These professionals have studied these objects and become experts on their collection. Not only can these refugee museum professionals provide a historical and scholarly approach, they will also be able to provide the connection the object has to the community.

⁷⁴ "Global Guides," The Penn Museum, accessed May 25, 2018, <https://www.penn.museum/visit/tours/global-guides>.

⁷⁵ Natalie Pompilio, "Iraqi, Syrian Guides bring views to Philadelphia Museum," *The Spokesman-Review*, May 20, 2018, accessed May 25, 2018, <http://www.spokesman.com/stories/2018/may/20/iraqi-syrian-guides-bring-views-to-philadelphia-mu/>.

The international community has also established programs similar to the Penn Museum's Global Guides that provide a service for refugees from areas of armed conflict. Berlin, Germany is an excellent location for a program such as this. The increase in asylum-seeking immigrants has impacted the population of Germany and, in turn, has impacted the German museum community. In 2015, the Museum of Islamic Art spearheaded a project to train Iraqi and Syrian refugees to become museum guides. The program is called "Multaka: Museums as Meeting Point." The program facilitates intercultural exchange between German and Middle Eastern cultures and provides a livelihood for refugees. Each guide is paid the standard Berlin museum guide fee of \$46 per hour for the tour.⁷⁶ Since its inception, other museums have collaborated with the Museum of Islamic Art including other state-run museums on the Museum Island, and the German Historical Museum. The "Multaka" guides originally are from a variety of professional backgrounds. Like the Penn Museum's Global Guides, the range of professionals gives unique perspectives on the objects in the collection. Unlike Global Guides, "Multaka" does employ some former Syrian and Iraqi museum professionals. One of these guides is a man named Bachar Al-Mohamad Alchahin, a recent refugee who spent 20 years working in the museums of Syria, specializing in antiquities.⁷⁷ After fleeing Syria initially in 2013, he returned to discover the situation was still dire. He spent the last few months in his country taking shelter in the museum he worked at after the fighting destroyed his apartment. During this difficult period, Bachar became separated from his wife and two children who found refuge in Azerbaijan. He sees his family for a few days during the holidays when they visit him in Berlin

⁷⁶ Damien McGuinness, "Berlin Museum Tours inspire Mid-East refugees," *BBC News*, April 12, 2016, accessed May 30, 2018, <https://www.bbc.com/news/world-europe-35976090>.

⁷⁷ Ibid.

but is unable to visit his family due to visa issues.⁷⁸ A museum professional like Bachar has the opportunity to work in his field, he states that “it also shows refugees that you will find very good people who will support you and give you the opportunity to integrate and start a better life.”⁷⁹ Although Bachar is content with practicing his profession and sharing his knowledge in Berlin, ultimately, he plans to return to Syria in hopes that he can assist in the recovery of his country.

Not only is the Multaka program beneficial to the guides, but it also provides a much-needed service to displaced persons. The museum guides provide free tours and workshops in their native language to fellow refugees. Those in attendance learn about the history of the country they now live in and engage with some of their own cultural heritage. Specifically, refugees take an interest in the history of Berlin and the reconstruction of the city following the Second World War and the fall of the Berlin Wall. The juxtaposition between the post-World War II Berlin and the modern capital gives hope to refugees, who have fled a scene similar to 1945 Berlin. Not only do the Multaka tours provide a pastime away from refugee camps, the tours inspire a sense of hope that one day, the cities of Syria and Iraq can rebuild like Berlin.

Funding for a program for museum professionals could come from a variety of sources. These sources include state-run programs such as the one for refugees in Berlin, UNESCO's “The Fund for the Protection of Cultural Property in the Event of Armed Conflict,” the “Scholars at Risk” program, or even reaching out to other nonprofit organizations for grants and fellowships, such as the Barra Foundation who sponsors the Penn Museum's Global Guides

⁷⁸ Clarisse Martin, “Bachar Al- Mohammad Alchahin, un guide de muse Presque comme les autres,” May 4, 2016, accessed June 1, 2018, <https://medium.com/@berlinkulturlab2016/guide-de-mus%C3%A9-et-r%C3%A9fugi%C3%A9-berlin-cest-la-ville-de-toutes-les-chances-57b6c3bdb790>.

⁷⁹ McGuinness, “Berlin Museum Tours.”

program.⁸⁰ Multaka is sponsored through a federal program “Demokratie leben!” by the German Federal Ministry for Family, Seniors, Women and Youth, and the Federal Government Ministry for Culture and Media.⁸¹ Unlike most American museums, German museums are mainly government-run entities; therefore much of their funding comes from the state. Although the government funds the Multaka program, the program is also supplemented by friends of the Museum for Islamic Art, private donors, and Schering Stiftung, a nonprofit foundation focused on the arts and sciences.⁸² Similar to the Schering Stiftung organization, the Barra Foundation, which funds the Penn Museum’s Global Guides, is a nonprofit which invests in innovating programs in the Philadelphia area.⁸³ The grant given to the Penn Museum is for a three-year program which “makes space for the guides to share their personal experiences, a significant paradigm shift in the field,” and the grant also allows the museum to “impact the lack of staff diversity at museums, especially in roles that interact with the public.”⁸⁴ The clause in the grant shows the increasing shift in the museum world. The museum has become less of a temple to the arts and incorporates more of the community it serves. Both of these programs have been extremely successful in the communities as they provide dignity to the guides and service to an underrepresented community. The Global Guides program is expanding its guides to the African and Mexican and Central America galleries providing more opportunity for refugees from other countries to share their experiences.⁸⁵ In Berlin, the Multaka program won the “Special Award

⁸⁰ “2017 Catalyst Fund Grantees,” The Barra Foundation, accessed May 29, 2018, <https://www.barrafoundation.org/investments/catalyst-fund/grants/#2017>.

⁸¹ “Multaka: Museums as a Meeting Point- Refugees as Guides in Berlin Museums,” Staatliche Museen zu Berlin, 2016, accessed May 31, 2018, <https://www.smb.museum/en/museums-institutions/museum-fuer-islamische-kunst/collection-research/research-cooperation/multaka.html>.

⁸² Ibid.

⁸³ “About Barra,” The Barra Foundation, accessed May 27, 2018, <https://www.barrafoundation.org/about/>.

⁸⁴ “2017 Catalyst Fund Grantees,” accessed May 27, 2018, <https://www.barrafoundation.org/investments/catalyst-fund/grants/>.

⁸⁵ “Global Guides.”

for Projects Promoting the Cultural Integration of Refugees” and “Landmarks in the Land of Ideas” in the culture category.⁸⁶ If the success of the Penn Museum and the Berlin museums with both non-museum professionals and museum professionals have had such a positive impact imagine the insights a program exclusively for museum professionals could bring to various institutions. Additionally, since these programs have been successfully engaging both the museum and wider community more foundations may be inclined to provide financial support.

Attempting to institute a Safe Haven program or even a Global Guides program for museum professionals will inevitably face challenges. Visas and immigration laws will require the work of lawyers and the museum will need to assess whether they have enough resources to sponsor a foreign museum professional and provide them a place at their institution. Despite the challenges, museums must remember that protecting cultural heritage, which is often considered collective, impacts the stewards of the collection and their communities. Working together as a profession allows museums to support displaced colleagues and create a more inclusive narrative in museums. The museum professional should not only look toward legislation and other professions’ means of protecting their peers. While some inspiration may come from other professions, the museum profession already has the tools to form its own programming and resources for their peers who work in areas of armed conflict and are forced to flee.

⁸⁶ “Awards,” Multaka: Treffpunkt Museum, May 2016, accessed May 31, 2018, <https://multaka.de/en/1031-2/>.

Chapter 4

Challenges and Steps Ahead

The programs, resources, and legislation proposed by this paper will be difficult to implement. Many challenges face the museum profession including the unpredictable nature of war and the current international political climate, which especially affects the United States. Despite these challenges, there are actions the broader museum community can take to begin the process of creating practical resources for colleagues in areas of armed conflict.

Armed conflict is unpredictable. Although plans for the protection of museums and museums professional may be extensive and detailed, there is no way to accurately predict what will happen in every situation that presents itself during a war. This is evident from the historical accounts of museum professional during war and armed conflict. During World War II, Rose Valland had to quickly think when Nazis caught her copying the locations of looted artwork. In the case of the National Museum of Iraq, the museum professionals planned to protect themselves and the institution, however, looters still decimated the collection. In Syria, Khaled al-Assad planned with his colleagues to hide the collections from Palmyra. Although the collection remained hidden from terrorists, al-Assad paid for his knowledge with his life. These situations show how circumstances can change in an instant at the cost of the collection and human life. The most well-thought-of program and plan may fail if one variable suddenly changes. This unpredictability will hinder any protection plan for museum professionals, and there is nothing that the international museum community can do to prevent such changes from occurring. All one can do is plan as best as possible and ensure research is thorough as there are human lives and heritage at stake.

In recent months, the political climate across the world is changing. More countries are moving toward more isolationist policies and removing themselves from collaborative international organizations. One challenge that the museum community, especially in the United States, will face is the decision to leave UNESCO. Although the United States will remain a nonmember observer state in the organization, the consequences will undoubtedly affect the future of cultural heritage protection in the United States and beyond. By leaving UNESCO, the United States government is slowly moving toward more isolationist policy, while the cultural heritage sector continues to embrace globalism. The United States has left UNESCO in the past. In the 1980's President Regan decided to leave due to perceived anti-Israel bias. The United States also left because UNESCO promoted a "Soviet-inspired world," which contradicted the conservative, free-market capitalist sentiments of the U.S. administration at the time.⁸⁷ However, in 2002, President George Bush decided to rejoin UNESCO, and since then, the international museum community benefitted through more dialogue with international institutions.⁸⁸ Maxwell Anderson, former president of the AAMD, stated that UNESCO "is the only world body to foster dialogue on matters of substantial interest to the museum establishment. These are issues [that] cannot be addressed in a vacuum within our borders."⁸⁹ Anderson's assertion is correct. The international scope of UNESCO has provided the museum profession more legislation which discusses the protection of cultural heritage and recognized heritage sites. While the United States created its own legislation to put UNESCO's conventions into law, other new conventions or decisions made will not need to be followed by the United States as it is no longer a member.

⁸⁷ Joanne Omang, "UNESCO Withdrawal Announced," *The Washington Post*, December 20, 1984, accessed August 5, 2018, https://www.washingtonpost.com/archive/politics/1984/12/20/unesco-withdrawal-announced/b9c6dc92-a31f-443a-977b-f3468faf44fe/?utm_term=.638ce3a230cb.

⁸⁸ Julie Halperin and Eileen Kinsella, "Museums are Angry About Trump's Withdrawal From UNESCO-But What Does It Really Mean?" *Art News Net*, October 17, 2017, accessed July 2, 2018, <https://news.artnet.com/art-world/us-unesco-cultural-institutions-1116371>.

⁸⁹ Ibid.

The United States' decision impacts how U.S. museums will interact with the international museum community.

Another issue closely tied with an increasingly isolationist policy in the United States is the status of immigration. In January 2017, the administration signed an Executive Order for an immigration ban on a number of countries, most of which are predominantly Muslim and conflict countries. Known colloquially as the Muslim Ban, the ban affects the museum community. Across the country, museums are postponing art installations, and putting cross-cultural collaborations on hold as artists and professionals from countries such as Syria, struggle through the visa process. In response, the Guggenheim Museum led a campaign with 100 other museums to draft a document in protest of the Executive Order. The law firm of Davis Polk drafted two amicus briefs, a statement that is filed by the organizations not technically connected to the outcome of the case but invested in the overall outcome in Hawaii and Maryland.⁹⁰ In the brief, the Guggenheim outlined how the museum canceled exhibitions and artists are afraid to come to the U.S. for fear of being detained. Nancy Spector, the Guggenheim's artistic director, stated that “the effects of the ban have impacted every level of society: families have been separated, asylum seekers detained, and students and potential workers turned away. Within the art world, the ‘Muslim ban’ has threatened the values of cross-cultural exchange that lie at its very core.”⁹¹ The AAMD backed the Guggenheim’s movement in a statement the organization released. In it, they reiterated that now more than ever the exchange of cultural ideas and understanding of other cultures is of utmost importance.⁹² In June 2018, the Supreme Court

⁹⁰ Sarah Cascone, “The Guggenheim Teams Up with More Than 100 Museums to Fight Trump’s Immigration Ban,” *Art Net News*, September 21, 2017, accessed July 2, 2018 <https://news.artnet.com/art-world/guggenheim-immigration-ban-response-1087166>.

⁹¹ Ibid.

⁹² “AAMD Statement on Travel Ban,” Association of Art Museum Directors, January 20, 2017, accessed July 2, 2018, <https://aamd.org/for-the-media/press-release/aamd-statement-on-travel-ban>.

upheld the ban. Countries currently in a state of armed conflict including Syria, are in the executive order. Therefore, museum professionals seeking asylum will likely be denied entry into the United States. This ruling will make a “Multaka” like program for asylum-seeking museum professionals in the United States extremely unlikely. Despite the ban, the museum community still has the opportunity to assist those refugee museum professionals that may already be in the United States.

Even if they cannot provide asylum, American professionals can still advocate and serve as a resource to museum professionals in areas of armed conflict. In 2006, after the looting of the National Museum of Iraq, a group of cultural heritage professionals gathered together at the University of Chicago to develop recommendations on how to improve cultural heritage protection both internationally and domestically.⁹³ As part of this conference, the group suggested the U.S. Cultural Heritage Community form an umbrella non-government organization (NGO) that helps represent the interest of the U.S. heritage community. This organization would be modeled on InterAction, an organization that represents the overall interests of humanitarian groups.⁹⁴ This NGO organization would comprise a think tank, advocacy group, and a military liaison wing. A group as suggested in these recommendations has not yet been created. Using the recommendations suggested in 2006 and including the addition of protecting museum professionals would establish a strong organization, separate from the government that could assist in protecting cultural heritage and heritage professionals. A new NGO could even be

⁹³ “Policy Recommendations as of August 2006,” In *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, ed. Lawrence Rothfield (New York: AltaMira Press, 2008) 283.

⁹⁴ “Policy Recommendations,” 284.

included under InterAction as the mission of the organization will a mission that includes a humanitarian component.

Although the United States is a significant player on the global stage, they are not the only country that will have an impact on protecting museum professionals. The international community needs to proceed with plans to implement programs and legislation on behalf of museum professionals in areas of armed conflict. International institutions will be able to create more programs to assist displaced museum professionals and in some cases be a safe haven institution to both the artifacts and professionals. Regardless of nationality, the entire museum profession can advocate for the protection of museum professionals in areas of armed conflict.

In the months ahead, the museum community must continue to advocate on behalf of colleagues in areas of armed conflict, supporting them in any way possible. As suggested in previous chapters of this text, the two primary forms of protecting museum professionals are the legal modes and the practical modes. The next steps for the profession will be to review the 1954 Hague Convention and propose a new article that considers the protection of museum professionals. At the very least, the museum community should propose to UNESCO how to protect museum professionals and grant them rights during armed conflict. By establishing a concrete policy, UNESCO can then reach out to member states, non-profit organizations and private philanthropies to extend the Fund for the Protection of Cultural Heritage to include the protection of museum professionals. UNESCO's World Heritage Center already has relationships with organizations such as HISTORY®, Google Cultural Institution, the International Council on Monuments and Sites, and various foreign ministries of culture.⁹⁵ Since partnering with these

⁹⁵ "Our Partners," UNESCO World Heritage Convention, last updated 2018, accessed July 1, 2018 <https://whc.unesco.org/en/partners/>.

organizations through the World Heritage Partnerships for Conservation Initiative (PACT) “has helped raise awareness, mobilize funds, and implement activities.”⁹⁶ The next step gathers resources from organizations such as ICOM, the Smithsonian Cultural Rescue Initiative and brings them all together into one easily accessible resource center. This follows the model of the Committee to Protect Journalist's resource center. The programs already in place such as Global Guide and Multaka can be expanded to reflect the missions of various museums across the world. Based on the Safe Haven principles outlined by the AAMD, more institutions can begin to establish these programs, applying for funding through their governments or non-profit institutions.

It will be vital to make cultural heritage protection a community goal. By educating communities, the museum professionals in areas of armed conflict may have support from the local community to assist in the protection of museum collections and cultural heritage. During 2011, the world experienced the Arab Spring, a series of revolutions in Arabic countries. In Egypt, the Cairo Museum was at the heart of the protests in Tahrir Square.⁹⁷ Although museum professionals prepared the museum for the protest as best they could, it was the people who took the initiative to protect the museum from looting. Young Egyptians formed a human shield in front of the doors of the museum, preventing a majority of the collection from being attacked. Although looters targeted the museum, the young Egyptians practiced community policing. They utilized social media and distributed lists of looted artifacts that helped to recover a number of the looted antiquities⁹⁸. The mobilization of the Egyptian youth was a product of the museum's

⁹⁶ “Partnerships: World Heritage Partnerships for Conservation, UNESCO World Heritage Convention,” last update 2018, accessed July 1, 2018, <https://whc.unesco.org/en/partnerships/>.

⁹⁷ Mohamed Gamel Rashed, “The Museums of Egypt After the 2011 Revolution,” *Museum International* 67, (2016): 126.

⁹⁸ Ibid.

outreach to the community. In the past, Egyptians had felt a disconnect between museums and their culture. Moving into the 21st century, the Cairo Museum made strides to connect the community to its cultural heritage.⁹⁹ This empowered the people to become stewards of their cultural heritage, aiding museum professionals in protecting the museum from protests and riots. In times of peace, the museum profession can continue to connect to the community. By representing and connecting the community to the collection, they will understand the importance of ensuring the institution is protected, lessening the burden on museum professionals who must make hard decisions during times of armed conflict.

The path ahead for the protection of museum professionals faces challenges both specific to each conflict and more international issues of immigration that will affect countries such as the United States. Despite the challenges, the international museum community must continue to gather resources and advocate for professionals in areas of armed conflict. Creating an NGO specifically to govern cultural heritage and heritage professional protection will allow the process to be more streamlined and ensure all resources are in one place. Beginning with the addition of specific sections on heritage professional protection into already drafted legislation will provide solid legal support that will help build new programs. Establishing and expanding programs already in place should be the next step. These programs should also engage the communities that the museums serve. A program's connection with the community will allow the cultural heritage protection to become a more public and prominent topic. Taking these steps to protect museum professionals will ensure that the international community protects both cultural heritage and its stewards in areas of armed conflict.

⁹⁹ Rashed, "The Museums of Egypt," 127.

Conclusion

Despite the best efforts of the international museum community, armed conflict will inevitably affect cultural heritage. Museums and museum professionals are no stranger to armed conflict as evidenced by the examples provided in chapter one of this thesis. The professionals of French National Museums during World War II and today's museum professionals such as Layla Salih share a similar goal: protecting their cultural heritage. While the museum community cannot prevent every atrocity against colleagues, the museum profession can ensure that resources provide support for the cultural heritage and for the professionals who work with the collections. This process must begin with the legislation that governs cultural heritage in armed conflict. Ensuring that professionals experience consideration, respect and protection by occupying forces in legislation will provide the legal backbone that the international community can fall back on. Legislation and programs such as the "Scholars at Risk" program must be expanded to welcome all those who work in museums as the term museum professional is a comprehensive definition that covers all museum workers regardless of their position. In order to create a resource center for museum professionals in armed conflict, the profession can look to how other professions, such as journalists, protect their own and empower them with information to protect themselves. Sponsoring self-defense courses and having resources available will prepare museum professionals for situations of armed conflict. After considering the coping strategies of other professions, the museum community can then look inward to assess some of the successful programs already in place that assists refugees. Programs such as Global Guides and "Multaka" would be able to provide jobs to asylum-seeking museum professionals as well as enable them to educate the public on the protection of cultural heritage. Even after these assessments, bringing these resources and programs to fruition will face challenges ahead.

Despite the challenges, the museum community can provide a variety of ways to assist its colleagues in areas of armed conflict. By providing support to museum professionals in areas of armed conflict, the international community will be instrumental in preserving cultural heritage by helping the people who care for it most.

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